

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-16 are pending in this application, with new claims 8-16 being added by the present Amendment.

Allowable Subject Matter

Claims 3, 4 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for indicating allowable subject matter. However, the Applicants choose not to rewrite the claims at this time for at least the reasons detailed below.

Information Disclosure Statement

Applicant thanks the Examiner for indicating that the references submitted in the Information Disclosure Statement filed on November 9, 2000, have been considered.

Foreign Priority

Applicants note with appreciation the Examiner's acknowledgement that certified copies of all priority documents have been received by the U.S.P.T.O.

Drawings

Applicants also respectfully note that the present action does not indicate that the drawings have been accepted by the Examiner. Applicants respectfully request

that the Examiner's next communication include an indication as to the acceptability of the filed drawings or as to any perceived deficiencies so that the Applicants may have a full and fair opportunity to submit appropriate amendments and/or corrections to the drawings.

Specification

Claim 8 stands as objected to because claim 8 is not present in the application although a preliminary amendment has been filed for claim 8. Applicants have added claim 8 by the present amendment. New claim 8 includes the amendments that were presented in the preliminary amendment. The Examiner is directed to, at least, claim 8 of the verified English translation of the priority document for support for new claim 8.

Rejections under 35 U.S.C. § 102

Wyganski

Claims 1, 2, 5 and 7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Wyganski (US 6,598,621). Applicants respectfully traverse this rejection for the reasons detailed below.

Wyganski was PCT filed on October 7, 1999 and PCT published on April 13, 2000. Accordingly, as required by MPEP 706.02(b), attached hereto is a verified English translation for the German priority document DE 199 10 326.7 (filed March 9, 1999). Since the German priority document has a filing date of March 9, 1999, which predates the priority date of Wyganski, i.e., October 7, 1999, it is respectfully submitted that the Wyganski reference is not a proper reference under 35 U.S.C. § 102. Thus the rejection is rendered moot and withdrawal of the rejection is requested.

The Applicants, therefore, respectfully request reconsideration and withdrawal of the rejection to claims 1, 2, 5 and 7 under 35 U.S.C. § 102(e).

New Claims

New claims 8-16 have been added in an effort to provide further protection for Applicants' invention, no new matter has been added. New claims 8-16 are allowable at least for reasons somewhat similar as those regarding claim 1 although each claim should be interpreted solely based upon the limitations set forth therein.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a three (3) month extension of time for filing a reply to the outstanding Office Action and submit the required \$1,110.00 extension fee herewith.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By



Donald J. Daley, Reg. No. 34,313
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

DJD/EPS:lfb